

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BILLINGS DIVISION

FILED

MAY 18 2015

Clerk, U.S. District Court
District Of Montana
Billings

UNITED STATES OF AMERICA,

Plaintiff,

vs.

WILLIAM KRISSTOFER WOLF,

Defendant.

CR 15-49-BLG-SPW

ORDER

On May 8, 2015, Defendant Wolf's "Next Friend and Attorney in fact" Gary Hunt filed "Next-friend" documents which requested various forms of relief on behalf of Wolf. (Doc. 14). On May 15, 2015, the United States filed its response and requested this Court strike these documents from the record. (Doc. 15).

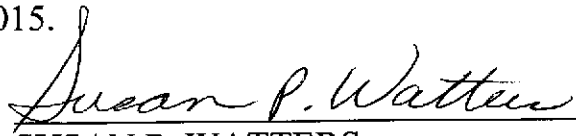
The United States points out that because Gary Hunt is not a licensed or member of the State Bar of Montana, he cannot represent Wolf. 28 U.S.C.A. §1654 (allowing parties to "plead and conduct their own cases personally or by counsel" only). Further, because he is not licensed to practice in Montana, Hunt has violated two local rules by appearing on behalf of Wolf in this action. *See* D. Mont. L. R. 83.1(a)(2) (allowing only an attorney authorized under the Rules to

appear on behalf of another); *see also* D. Mont. L.R. 83.1(b)(1) (only allowing attorneys who are members in good standing of the State Bar of Montana to be admitted as members of the Bar of this Court).

Finally, Wolf is currently represented by appointed counsel Mark Werner. (Doc. 4). So, Wolf may not file motions or pleadings on his own behalf. *See United States v. Klee*, 494 F.2d 394, 396-97 (9th Cir. 1974) (a criminal defendant does not have an absolute right to both self-representation and the assistance of counsel); *see also United States v. Daniels*, 572 F.2d 535, 540 (5th Cir. 1978) (whether to allow hybrid representation remains within the sound discretion of the trial judge). Under such circumstances, “[a] district court has no obligation to entertain pro se motions filed by a represented party.” *Abdullah v. United States*, 240 F.3d 683, 686 (8th Cir. 2001).

Defendant Wolf’s “Next Friend” documents are not permitted in this Court. Accordingly, IT IS HEREBY ORDERED that for the reasons cited above, this Court STRIKES Wolf’s “Next-friend” documents (doc. 14) from the record.

DATED the 18th day of May 2015.



SUSAN P. WATTERS
UNITED STATES DISTRICT JUDGE